

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WALKER et al.

Serial No.: Not Yet Assigned

Filing Date: October 31, 2003

For: METHOD AND APPARATUS FOR  
PROVIDING SUPPLEMENTARY  
PRODUCT SALES TO A CUSTOMER  
AT A CUSTOMER TERMINAL

) Examiner: Not Yet Assigned  
)  
) Group Art Unit: Not Yet Assigned  
)  
) Attorney Docket No: 97-007-C1  
)  
) **CUSTOMER NO.: 22927**  
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## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope with sufficient postage and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 10/31/03 By:

  
Michael D. Brinton

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): \_\_\_\_\_.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): \_\_\_\_\_.
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:  
  
☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.  
  
☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

- ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
5. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
  - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
  - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;

☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.

☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. ☐ I hereby certify:

☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ Please accept payment of the fees due as indicated below:

- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).
- ☐ The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).
11. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.
12. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

Respectfully submitted,



\_\_\_\_\_  
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October 31, 2003  
Date

<b>INFORMATION DISCLOSURE CITATION</b>				Docket Number 97-007-C1		Serial Number Not Yet Assigned	
				Applicants WALKER et al.			
				Filing Date October 31, 2003		Group Art Unit Not Yet Assigned	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
<b>FOREIGN PATENT DOCUMENTS</b>							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation Yes    No
	A	EP 0 085 546 A2	08/10/83	Europe			
	B	EP 0 109 189 a1	05/23/84	Europe			
	C	EP 512413 A	11/11/92	Europe (Abstract)			
	D	JP 5242363 A	09/21/93	Japan (Abstract)			
	E	EP 607686 A	07/27/94	Europe (Abstract)			
	E	JP 93168357	03/17/95	Japan (Abstract)			
	G	WO 96/29668 A	09/26/96	PCT (Abstract)			
	H	JP 8279007 A	10/22/96	Japan (Abstract)			
	I	WO 96/36926	11/21/96	PCT			
	J	WO 97/24680 A	07/10/97	PCT (Abstract)			
	K	WO 97/28510	08/07/97	PCT			
<b>OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)</b>							
EXAMINER				DATE CONSIDERED:			
<b>EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E

  

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No
	L	WO 97/35441	09/25/97	PCT				
	M	WO 97/46961	12/11/97	PCT				
	N	WO 00/75855 A2	12/14/00	PCT				

  

OTHER DOCUMENTS <i>(Including author, Title, Date, Pertinent Pages, Etc.)</i>		
	O	Brochure: "Dining A La Card" Citibank.
	P	"Introducing the Digital MenuBoard", Siren Technologies, Inc.
	Q	Rehayem, Gilbert, "Opinion: X-Press Betting", La Fleur's Lottery World, pg. 4.
	R	Brochure: "Reaching Out in New Directions", First Data Corporation, Merchant Services, undated.
	S	"Cape Town", Reuters Ltd., Copyright 1979.
	T	"Save the Mark", Financial Times (London), February 1, 1983, Section I, Men & Matters, pg. 12.
	U	Cook, Louise, "ConsumerWatch: Clip, Snip, Save", The Associated Press, March 12, 1984, Section: Business News.

  

<b>EXAMINER</b>	<b>DATE CONSIDERED:</b>
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<b>OTHER DOCUMENTS</b> <i>(Including author, Title, Date, Pertinent Pages, Etc.)</i>			
	V	Greene, Jan, "Farm bills please assns; National Grocers Association", Supermarket News, December 23, 1985, Section: Vol. 35, pg. 6, ISSN: 0039-5803.	
	W	"POS spectrum: a lottery looks to POS for growth", POS News, January 1989, Section: Vol. 5, No. 7, pg. 8, ISSN: 0896-6230, CODEN: BHORAD.	
	X	Kuttner, Robert, "Computers May Turn The World Into One Big Commodities Pit", Business Week, September 11, 1989, Section: Economic Viewpoint; No. 3123, pg. 17.	
	Y	Schrage, Michael, "An Experiment In Economic Theory; Labs Testing Real Markets", The Record, November 26, 1989, Section: Business, pg. B01.	
	Z	"Let's Play the Cash Register Receipts Lottery", The New York Times, December 25, 1990, Section 1, pg. 30, Col. 4, Editorial Desk.	
	AA	Del Rosso, Laura, "Marketel says it plans to launch air fare 'auction' in June", Travel Weekly, April 29, 1991, Section: Vol. 50, No. 34, pg. 1, ISSN: 0041-2082.	
	BB	"Philips offers customers financing through Citicorp; Philips Medical Systems North America, Citicorp North America Inc.", Health Industry Today, June 1991, Section: Vol. 54, No. 6, pg. 4, ISSN: 0745-4678.	
	CC	Pelline, Jeff, "Travelers Bidding On Airline Tickets SF firm offers chance for cut-rate fares", The San Francisco Chronicle, August 19, 1991, Section: News, pg. A4.	
	DD	Del Rosso, Laura, "Ticket-bidding firm closes its doors; Marketel International", Travel Weekly, March 12, 1992, Section: Vol. 51, No. 21, pg. 1, ISSN: 0041-2082.	
	EE	"Coupons get serious", Chain Store Age Executive with Shopping Center Age, October 1992, Section: Vol. 68, No. 10, pg. 68, ISSN: 0193-1199.	
	FF	"Winn-Dixie/The Salvation Army Report Contributions For War Against Hunger", PR Newswire, June 10, 1993, Section: Financial News.	
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	GG	Jones, Jeanne, "Data Readers Streamline Management...", The Houston Post, June 26, 1994, Section: Business, pg. D1.	
	HH	Fiorini, Phillip, "No Place For Penny?", USA Today, July 29, 1994, Section: News, pg. 1A.	
	II	Smith, Alison, "Survey of UK Consumer Credit and Asset Finance", Financial Times, November 3, 1994, pg. VI.	
	JJ	Andreoli, Tom et al., "Cash Machines Offer A Whole Lotto Money...", Crain's Chicago Business, June 19, 1995, Section: News, pg. 8.	
	KK	"Spain: BBV launches new card", Cards International, June 22, 1995, pg. 5.	
	LL	Knippenberg, Jim, "Will local radio empires strike back?", The Cincinnati Enquirer, July 23, 1995, Section: Tempo, pg. F01.	
	MM	Silverman, Gene, "Planning and using infomercial campaigns effectively.", Direct Marketing, September 1995, Vol. 58, No. 5, pg. 32(3), ISSN: 0012-3188.	
	NN	"Cyberbid", Copyright 1996.	
	OO	"Tecmark Reward Terminal™", Tecmark Services, Inc., ( <a href="http://www.tecmarkinc.com/terminal.htm">http://www.tecmarkinc.com/terminal.htm</a> ), Copyright 1996.	
	PP	McKinney, Jeff, "Merchant program could pay off for Provident", The Cincinnati Enquirer, March 24, 1996, Section: Financial, pg. E02.	
	QQ	Hadley, Kimberly, "Pastors praying anti-arson effort will burn bias", The Nashville Banner, July 26, 1996, Section: News, pg. A13.	
	RR	Gapper, John, "NatWest reports rise in bad debt", Financial Times, July 31, 1996, Section: News, UK, pg. 09.	
	SS	"LYNX TECHNOLOGY: Lynx to provide business leasing programme through Schroder Leasing", M2 Presswire, August 9, 1996.	
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	TT	Taylor, Paul, "Towards a dream market", Financial Times, September 4, 1996, Section: Survey - FT IT, pg. 03.	
	UU	"Bigger Plans (Provident Bank, issuer of MeritValue customer loyalty card...", Card Fax, October 7, 1996, Vol. 96, No. 178, pg. 2.	
	VV	Fickenscher, Lisa, "Amex to Start Free Rewards Program with Discounts on Merchandise", The American Banker, October 18, 1996, Section: Credit/Debit/ATMs, pg. 10.	
	WW	Fitzgerald, Kate, "Amex Program Moves Loyalty to Next Level: Custom Extras Finds a Medium Customers Can't Ignore: Billing Statements", Advertising Age, November 4, 1996, Section: News, pg. 2.	
	XX	Bonnici, Joseph et al., "Consumer issues in coupon usage: An exploratory analysis", Journal of Applied Business Research, Winter 1996/1997, Section: Vol. 13, No. 1, pp. 31-40, ISSN: 0892-7626, CODEN: JPBEBK.	
	YY	Quittner, Jeremy, "Ohio's Provident brings its discount card to Fla.", American Banker, February 11, 1997, Vol. 162, Issue 28, pg. 11, 1/3 pg., ISSN: 0002-7561.	
	ZZ	Symons, Allene, "Lucky, Sav-on debut Rewards Card.", Drug Store News, February 17, 1997, Vol. 19, Issue 4, pg. 3, 2p, 1c., ISSN: 0191-7587.	
	AAA	Website: "Mastercard Purchasing Card", ( <a href="http://www.mastercard.com/business/purchasingcard6.html">http://www.mastercard.com/business/purchasingcard6.html</a> ), download date: February 28, 1997.	
	BBB	Mckeveny, Alexander, "Giving them a good reason.", Bank Marketing, March 1997, Vol. 29, Issue 3, pg. 37, 4p, 4c, ISSN: 0888-3149.	
	CCC	Singletary, Michelle, "Electronic World, Unchecked Problem?", The Washington Post, March 4, 1997, Section: Financial, pg. C01.	
	DDD	Fickenscher, Lisa, "Merchant: American Express Seeks to Mine Its Data on Cardholder Spending Patterns", The American Banker, March 24, 1997, Section: Credit/Debit/ATMs, pg. 20.	
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	EEE	"Marketing Q&A #3", Frankie Hollywood's Public Relations Newsletter, April 1-15, 1997, ( <a href="http://www.americasbrightest.com/employer/frankie/news970401.html">http //www.americasbrightest.com/employer/frankie/news970401.html</a> ).	
	FFF	Davis, Charles, "Dispensing the future", Electronic Payments International, May 1997, Section: Feature, pg. 12.	
	GGG	"Avco Financial Services.", ( <a href="http://www.homefurnish.com/NHFA/avco.htm">http //www.homefurnish.com/NHFA/avco.htm</a> ), download date: May 23, 1997.	
	HHH	"Products and Services, Checkout Direct", Catalina Marketing Corporation, ( <a href="http://catalinamktg.com/prodcdir.htm">http //catalinamktg.com/prodcdir.htm</a> ), download date: May 29, 1997.	
	III	"Industry Briefs", Card News, June 9, 1997, Vol. 12, No. 11.	
	JJJ	Riordan, Teresa, "Patents; A novel approach to making a better spermicide harks back to some old-fashioned methods.", The New York Times, June 9, 1997, Section D, pg. 2, Col. 1, Business/Financial Desk.	
	KKK	Nairn, Geoff, "The key to your identity: Falling costs will allow fingerprint verification to be widely used", Financial Times (London), July 15, 1997, Section: Technology, pg. 12.	
	LLL	"How It All Works", The United Computer Exchange, ( <a href="http://www.uce.com/howitworks.html">http //www.uce.com/howitworks.html</a> ), download date: July 23, 1997.	
	MMM	"Classifieds2000: The Internet Classifieds", ( <a href="http://www.classifieds2000.com/cgi-clis/Display.exe?C2K+aboutus">http //www.classifieds2000.com/cgi-clis/Display.exe?C2K+aboutus</a> ), download date: August 6, 1997.	
	NNN	"General trading information and terms provided by tradingfloor.com", Tradingfloor.com, ( <a href="http://www.tradingfloor.com/info.htm">http //www.tradingfloor.com/info.htm</a> ), download date: August 14, 1997.	
	OOO	"Nasdaq", ( <a href="http://home.oxford.com/corfin/corfl1.htm">http //home.oxford.com/corfin/corfl1.htm</a> ), download date: August 15, 1997.	
	PPP	Hoeschen, Brad, "Brookfield Square hopes mall card strikes a chord", Business Journal-Milwaukee, September 12, 1997, Section: Vol. 14, No. 50, pg. 19.	
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